

Effective Date: 2/25/94

Town of Concord

APP #47
Seatbelt Law

On February 1, 1994, a Safety Belt Law adopted by the Massachusetts legislature went into effect. Section 1 of the Act states that "no person shall operate a private passenger motor vehicle or ride in a private passenger motor vehicle . . . unless such person is wearing a safety belt which is properly adjusted and fastened". Section 1 also provides that "(a)ny person who operates a motor vehicle without a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five dollars".

Section 2 of the law states that the act "shall apply to any municipal, county, or district public employee" (emphasis added).

Employees of the Town are hereby required to comply with the provisions of this statute during working hours. The Town will not be responsible for any fines levied against employees for violations of the law while working.

The Governor's Highway Safety Bureau has urged municipal employers to assist in the State's efforts to educate drivers about the hazards of driving while unrestrained and to enlist employee support for full compliance with the law, in the interest of reducing the number of deaths and serious injuries caused by motor vehicle accidents. Anyone having questions concerning the new law may contact the Governor's Highway Safety Bureau at (617) 727-5073 for more information. A copy of the law has been attached for your information.

Enclosure

Distribution: All Town Employees
 Board of Selectmen
 Chief of Police

Chapter 90: Section 13A.

Seat belt use requirement; exceptions; fines; effect of violation.

Section 13A. No person shall operate a private passenger motor vehicle or ride in a private passenger motor vehicle, a vanpool vehicle or truck under eighteen thousand pounds on any way unless such person is wearing a safety belt which is properly adjusted and fastened; provided, however, that this provision shall not apply to:

(a) any child less than twelve years of age who is subject to the provisions of section seven AA;

(b) any person riding in a motor vehicle manufactured before July first, nineteen hundred and sixty-six;

(c) any person who is physically unable to use safety belts; provided, however, that such condition is duly certified by a physician who shall state the nature of the handicap, as well as the reasons such restraint is inappropriate; provided, further, that no such physician shall be subject to liability in any civil action for the issuance or for the failure to issue such certificate;

(d) any rural carrier of the United States Postal Service operating a motor vehicle while in the performance of his duties; provided, however, that such rural mail carrier shall be subject to department regulations regarding the use of safety belts or occupant crash protection devices;

(e) anyone involved in the operation of taxis, liveries, tractors, trucks with gross weight of eighteen thousand pounds or over, buses, and passengers of authorized emergency vehicles.

Any person who operates a motor vehicle without a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five dollars. Any operator of a motor vehicle shall be subject to an additional fine of twenty-five dollars for each person under the age of sixteen and no younger than twelve who is a passenger in said motor vehicle and not wearing a safety belt. The provisions of this section shall be enforced by law enforcement agencies only when an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws or some other offense.

Any person who receives a citation for violating this section may contest such citation pursuant to section three of chapter ninety C. A violation of this section shall not be considered as a conviction of a moving violation of the motor vehicle laws for the purpose of determining surcharges on motor vehicle premiums pursuant to section one hundred and thirteen B of chapter one hundred and seventy-five.